

QA-18000



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FHWA-99-2199-37

August 9, 1993

FHWA Docket No. MC-93-12  
Room 4232  
HCC-10  
Office of Chief Counsel  
Federal Highway Administration  
400 Seventh Street S. W.  
Washington D. C. 20590

RECEIVED  
FEDERAL HIGHWAY ADMINISTRATION  
AUG 11 1993

Dear Sirs:

This letter is in response to your Advanced Notice of Proposed Rulemaking (ANPRM) requesting comments concerning the need to require training for all entry level drivers of commercial motor vehicles.

Standards and curriculum for obtaining a CDL and the training of entry level CVM operators should be set in cooperation with the States' Department of Motor Vehicles, the Professional Truck Driver Institute (PTDIA), the motor carrier industry and/or other recognized organizations dedicated to the training of professional drivers. By doing so it will allow industry participation which should be a check against rule making that is unrealistic or of no value to the overall objective of the CDL program. All regulatory requirements/actions for the entire program should be the burden of the agency making the rules.

If it is the intent of the FHWA to adopt national standards and then shift the regulatory responsibility to all states, what funds will be made available to the states to expand the current program into a "one stop shop" that will satisfy all of the requirements? The cost of revamping automated/manual systems, hiring additional personnel to audit compliance and complying with reporting requirements could potentially outweigh any perceived benefit of the program. If the enforcement/reporting requirements of the program are split between state agencies, the program becomes fragmented and will be an administrative burden for the FHWA as well as the states.

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A Partnership With the Public

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If it determined that national standards need to be set, the program should be in tandem with the trucking industry and enforced by the rule making body without placing additional burdens on the states. Any additional requirements that may be placed on the states for the CDL program should be funded by the rule making entity. I appreciate the opportunity to comment.

Sincerely,



Donald E. Williams  
Commissioner

DEW:jmf

c: Michael R. Calvin  
Director of Driver Services  
AAMVA

## ANPRM - TRAINING FOR ENTRY LEVEL CMV'S

### BACKGROUND

The Commercial Motor Vehicle Safety Act (CMVSA) of 1986 was intended to improve highway safety. The CMVSA established the CDL program and directed the FHWA to establish minimum national standards for the states when licensing commercial motor vehicle (CMV) drivers.

The CDL standards do not require the comprehensive training proposed in the Model Curriculum since the CDL is a "licensing standard" as opposed to a "training standard."

The Professional Truck Driver Institute of America (PTDIA) was created in 1986 by the motor carrier industry to certify acceptable training programs offered by the truck driver training schools.

FHWA has not mandated minimum training standards for commercial motor vehicle operators because of the substantial progress being made by the motor carrier industry in voluntary compliance of the Model Curriculum for Training Tractor-Trailer Drivers.

### RULEMAKING

FHWA is not required to make rules. However, based on a requirement in the ISTEA, if FHWA determines rulemaking is not in the public interest, a report and cost-benefit analysis must be submitted to Congress.

An additional report is required on the effectiveness of private sector efforts to ensure adequate training of entry level commercial motor vehicles drivers.

### QUESTIONS ON SURVEY

The questions contained in the "Rulemaking and Questions for Comment" should be answered by the motor carrier industry/companies rather than by the states as most states cannot properly answer the questions posed. An example: "What should an adequate truck driver training program include (for example night driving, behind-the-wheel training, and classroom instruction)? What is the minimum amount of time (or number of hours) that should be devoted to each of these components"?

### NOTICE FROM AAMVA/CONCERN

If FHWA chooses to make training rules for CMV drivers, what effects will it have on the current CDL requirements by licensing agencies.

Areas not mentioned in ANPRM are: How will an individual's training be verified? How will training institutions be monitored, regulated, audited, etc? What cost will be involved? Will additional personnel be required?

The attached proposed letter attempts to address the AAMVA's concerns.

jmf 8/9/93